STATE OF VERMONT

HUMAN SERVICES BOARD

In re)	Fair	Hearing	No.	R-01/08-33
)				
Appeal of)				

INTRODUCTION

The petitioner appeals the decision by the Department for Children and Families, Health Access Eligibility Unit denying her request for reimbursement for medical services she received while vacationing in Florida. The issue is whether the Department can make payments under VHAP directly to individuals for medical services performed by providers who are not enrolled in Vermont Medicaid.

FINDINGS OF FACT

- 1. The petitioner is a recipient of VHAP benefits. She incurred several hundred dollars in medical expenses from hospitals, doctors, and pharmacies in Florida when she became ill while vacationing there recently.
- 2. The Department has denied her request for direct reimbursement for these expenses, but it has informed her that it will reimburse all the providers directly for these services if they enroll in Vermont Medicaid. The Department represents that this is a relatively simple procedure that is

commonly undertaken by out-of-state providers around the country.

ORDER

The Department's decision is affirmed.

REASONS

The Medicaid regulations expressly limit Medicaid and VHAP payments to those providers who are certified by the Department for participation in the program. W.A.M. §§ M154 and M155.1. The regulations prohibit payments directly to individual recipients. § M152. As noted above, the Department has informed the petitioner that it will cover the services in question if the providers enroll in Vermont Medicaid, and it has advised her to make this request of the providers, which the petitioner has agreed to do. 1

Inasmuch as the Department's decision in this matter is in accord with the applicable regulations, the Board is bound by law to affirm. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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¹ The petitioner maintains that each of the providers took the information from her Vermont VHAP card before the services were rendered.